

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

D. BNEY et al.

Atty. Ref.: 1266-27

Serial No. to be assigned

Group:

Filed: 11 September 2003

Examiner:

For: EFFICIENT ONLINE AUCTIONING THAT
ENCOURAGES OUT-OF-CHANNEL NEGOTIATION

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY
AND EXCLUSIVE PROSECUTION HEREAFTER BY
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

AutoTrader.com, LLC, being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints the attorneys of **Customer Number 23117** individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent.

AutoTrader.com, LLC also authorizes Nixon & Vanderhye to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

Certificate Under 37 C.F.R. §3.73(b)

AutoTrader.com, LLC, a corporation having a place of business at 5775 Peachtree Dunwoody Road, Suite A-200, Atlanta, Georgia 30342 states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee, a copy of the assignment being attached.

The undersigned (whose title is typed below) is empowered to sign this statement on behalf of AutoTrader.com, LLC.

AutoTrader.com, LLC

10/9/03 By: James T. McKnight
Date Name:
 Title:

ASSIGNMENT FOR PATENT APPLICATION
(All Rights)

WHEREAS, Esther Dabney, Greg Easterly, Brad Mohs, Michael Mullis, Mike Winn (hereinafter ASSIGNORS), all of Atlanta, Georgia have invented a certain improvement in EFFICIENT ONLINE AUCTIONING THAT ENCOURAGES OUT-OF-CHANNEL NEGOTIATION for which a so-entitled application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 11 September 2003 under Serial No. 10/659,746; and for which a provisional application Serial No. 60/437,153 entitled ONLINE METHOD AND APPARATUS FOR AUCTIONING MOTOR VEHICLES AND OTHER ITEMS was filed on 31 December 2002;

WHEREAS, AutoTrader.com, LLC (hereinafter ASSIGNEE), a Delaware limited liability company, having an office and place of business at 5775 Peachtree Dunwoody Road, Suite A-200, Atlanta, Georgia 30342 is desirous of acquiring an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNORS by these presents hereby sell, assign, and transfer unto the said ASSIGNEE, its successors, assigns, and legal representatives, ASSIGNORS' entire right, title and interest in the United States of America and all foreign countries, in and to the invention as described in the aforesaid application, and to the said application and to all subsequent applications based thereon including any and all continuations, divisions, reissues, and substitutes of said application, and all resulting patents, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres; and the ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns, and legal representatives. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vanderhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention;

ASSIGNORS hereby agree to transfer a like interest upon request of said ASSIGNEE, its successors, assigns, and legal representatives, and without further remuneration, in and to any improvements, and applications for patents based thereon, growing out of or related to the said invention;

* We hereby authorize and request ASSIGNEE'S attorneys, Nixon & Vanderhye P.C., to insert here the serial number of said application when known.

ASSIGNORS hereby agree to execute any papers by ASSIGNEE, its successors, assigns, and legal representatives, deemed essential to ASSIGNEE'S full protection and title in and to the invention hereby transferred; and

ASSIGNORS hereby agree, upon request of ASSIGNEE, and without further remuneration, to execute any and all papers desired by ASSIGNEE, for the filing and granting of foreign applications and the perfecting of title thereto in ASSIGNEE.

AGREED and executed as noted below:

John Faircloth 10/9/03
Date

Witnessed by:

Name:

John Faircloth 10/9/03
Date

Witnessed by:

Name:

John Faircloth 10/9/03
Date

Witnessed by:

Name:

John Faircloth 10/9/03
Date

Witnessed by:

Name:

John Faircloth 10/9/03
Date

Witnessed by:

Name:

Esther P. Dabney
Esther Dabney

Date:

10/9/03
Greg Easterly
Greg Easterly

Date:

Brad Mohs
Brad Mohs

Date:

Michael Mullis
Michael Mullis

Date:

10/9/03
Mike Winn
Mike Winn

Date: